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16 **SUPERIOR COURT OF THE STATE OF CALIFORNIA**

17 **COUNTY OF LOS ANGELES**

18 PICO NEIGHBORHOOD ASSOCIATION and
19 MARIA LOYA,

20 Plaintiffs,

21 v.

22 CITY OF SANTA MONICA, and DOES 1
through 100, inclusive,

23 Defendants.
24

CASE NO. BC616804

**PLAINTIFFS' RESPONSE TO
DEFENDANT'S OBJECTIONS TO
PROPOSED JUDGMENT**

25 Dept.: 28

[Assigned to the Honorable Yvette Palazuelos]

1 Defendant's lengthy Objections to the Proposed Judgment, mirroring its Objections to the
2 Proposed Statement of Decision, mischaracterize the evidence presented at trial and the applicable law,
3 just as did Defendant's closing brief and brief regarding remedies, where those same arguments were
4 presented before.

5 Each of the arguments that Defendant raises in its Objections has already been addressed in
6 Plaintiffs' closing briefs and/or briefs regarding remedies. For the sake of brevity, Plaintiffs do not
7 repeat their arguments here. If the Court desires additional briefing or oral argument regarding any of
8 the Objections, Plaintiffs welcome the opportunity to further address those Objections, though
9 Plaintiffs believe no such additional briefing or argument is necessary.

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1 Defendant raises two issues of a clerical nature that warrant correction of the Proposed
2 Judgment. First, Defendant correctly notes that a reference to a settlement agreement was erroneously
3 included in the Proposed Judgment. That reference has been removed from the Corrected Proposed
4 Judgment, lodged concurrently with the filing of this document. Second, Defendant takes issue with
5 the descriptions of the districts depicted in the attached map (Trial Exhibit 261), and provides
6 alternative descriptions. Most of Defendant's changes to the district descriptions concern the
7 directions of the streets (e.g., northerly, easterly, etc.). Those descriptions are inherently imprecise
8 because the street grid in Santa Monica has a northwest-southeast / northeast-southwest orientation
9 rather than a north-south / east-west orientation. The directions in Defendant's alternative description
10 are more consistent with the City's street naming conventions, while the directions in the Proposed
11 Judgment are more consistent with compass points (according to the GIS system). Defendant's
12 alternative descriptions also provide names for certain features that are not named in the Proposed
13 Judgment. To eliminate and dispute or confusion, the Corrected Proposed Judgment, lodged
14 concurrently with the filing of this document, substitutes Defendant's district descriptions for those
15 originally included in the Proposed Judgment. This revision does not change the districts, depicted in
16 Trial Exhibit 261, at all.

17
18 Respectfully submitted:

19 DATED: January 22, 2019

SHENKMAN & HUGHES PC
R. REX PARRIS LAW FIRM, and
LAW OFFICES OF MILTON C. GRIMES
LAW OFFICE OF ROBERT RUBIN

21
22 By: 

23 Kevin Shenkman
24 Attorneys for Plaintiffs

PROOF OF SERVICE
1013A(3) CCP Revised 5/1/88

STATE OF CALIFORNIA, COUNTY OF LOS ANGELES

I am employed in the County of Los Angeles, State of California. I am over the age of 18 and not a party to the within action; my business address is: 43364 10th Street West, Lancaster, California 93534.

On January 25, 2019 I served the foregoing document described as
PLAINTIFF'S RESPONSE TO DEFENDANT'S OBJECTIONS TO PROPOSED JUDGEMENT as follows:

***** See Attached Service List *****

BY MAIL as follows: I am "readily familiar" with the firm's practice of collection and processing correspondence for mailing. Under that practice it would be deposited with U. S. postal service on that same day with postage thereon fully prepaid at Lancaster, California in the ordinary course of business. I am aware that on motion of the party served, service is presumed invalid if postal cancellation date or postage meter date is more than one day after date of deposit for mailing in affidavit.

BY PERSONAL SERVICE as follows:

I delivered such envelope by hand to the addressees at 111 North Hill Street, Los Angeles, CA 90012. _____

I caused the foregoing document described hereinabove to be personally delivered by hand by placing it in a sealed envelope or package addressed to the persons at the addresses listed on the attached service list and provided it to a professional messenger service whose name and business address is Team Legal, Inc., 40015 Sierra Highway, Suite B220, Palmdale, CA 93550.

I caused the foregoing document described hereinabove to be personally delivered by hand by placing it in a sealed envelope or package addressed to the persons at the addresses listed on the attached service list and provided it to a professional messenger service whose name and business address is First Legal Support Services, 1511 West Beverly Blvd., Los Angeles, CA 90026.

BY FACSIMILE as follows: I served such document(s) by fax at See Service List to the fax number provided by each of the parties in this litigation at Lancaster, California. I received a confirmation sheet indicating said fax was transmitted completely.

BY GOLDEN STATE OVERNIGHT DELIVERY/OVERNIGHT MAIL as follows: I placed such envelope in a Golden State Overnight Delivery Mailer addressed to the above party or parties at the above address(es), with delivery fees fully pre-paid for next-business-day delivery, and delivered it to a Federal Express pick-up driver before 4:00 p.m. on the stated date.

1 [X] **BY ELECTRONIC SERVICE as follows:** Based on a court order, or an
2 agreement of the parties to accept service by electronic transmission, I caused the
3 documents to be sent to the persons at the electronic notification addressed listed
4 on the attached Service List.

4 Executed on January 25, 2019, at Lancaster, California.

5 X (State) I declare under penalty of perjury under the laws of the State of California
6 that the above is true and correct.

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1 **SERVICE LIST**

2 *Pico Neighborhood Association v. City of Santa Monica, California, et al.*

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